



CITY OF
MONASH

MINUTES

**MEETING OF COUNCIL
HELD ON**

TUESDAY 28 MAY 2024

at 7:00 PM

COUNCIL CHAMBER

CIVIC CENTRE, 293 SPRINGVALE ROAD, GLEN WAVERLEY

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1 ACKNOWLEDGEMENT OF COUNTRY

Monash Council acknowledges the Traditional Owners of the lands on which we meet, the Wurundjeri Woi Wurrung and Bunurong People, and recognises their continuing connection to the land and waterways.

We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

2 PRESENT AND APOLOGIES

PRESENT

Councillors: N Luo (Mayor), B Little (Deputy Mayor), A de Silva, J Fergeus, G Lake, S McCluskey, R Paterson, S James, T Samardzija, T Zographos

Officers: A Diamond, J Doake, R Hopkins, P Panagakos, J Robertson, A Sapolu, T Shoshan, S Wickes, G Budhiraja

APOLOGIES

Councillors: P Klisaris

3 DISCLOSURES OF INTEREST

Nil

4 CONFIRMATION OF MINUTES

Moved: Cr Little

Seconded: Cr Paterson

That the minutes of the following meetings be taken as read and confirmed:

- 1. Meeting of Council held on 30 April 2024.**

CARRIED

5 RECEPTION AND READING OF PETITIONS, JOINT LETTERS AND MEMORIALS

Moved: Cr James

Seconded: Cr McCluskey

PROCEDURAL MOTION

That Council receive the following Petition and forward it to the relevant officer for action:

1. **Opposition to Proposed Public Amenity Site at Napier Park**

CARRIED

6 PUBLIC QUESTION TIME

The Mayor advised that eight (08) questions had been received.

Question 1- Saeida Mirkhil from Mount Waverly asked:

Why is the bin special consideration criteria inaccurate and totally unrealistic and not in line with reality with respect to number of children in nappies and eligibility of free upgrade?

Why is a free red bin upgrade only limited to household with 2 kids in nappies when one baby in nappies produces at least 150 soiled nappies in a fortnight. This fills the entire 120L bin and we still have nappies we cannot dispose of every fortnight. How are we to dispose of any other waste in a 120L bin? I pay my rates and do not even receive the basic waste disposal for my family in a first world nation.

Why has council reduced our bin size without permission from 240L to 120L about 3 years ago? Also reduced the bin collections from weekly to fortnightly whilst continuously charging higher rates?

The Mayor read the following response:

Monash's special consideration criteria were endorsed by Council in April 2022, after extensive community consultation and testing. They are quite adequate if waste is being separated properly.

There are many opportunities to reduce the waste going into your red lid bin, including making sure all food waste goes into the green bin, or you could separate out your soft plastics and return them to our Civic centre or Recycling and waste centre. You can check out our website for further tips and tricks.

The 120L bin has always been a standard inclusion in your rates. To upgrade to a 240L bin if you do not meet the eligibility criteria for special consideration there are additional charges to offset the cost of the additional waste disposal.

Question 2- Maria Palatsides from Hughesdale asked:

As a member of the SRL Clayton community feedback group I advise that SRL showed that people boarding at Clayton in 2036 daily would be 15,000 and that would be 90,000 people daily by 2050. By the govts own database the current usage is between 3900-4200 in 2022-23 fin year. This is an anticipated increase of over 2,000% from what the station experiences today. Where are all these people coming from can council please advise? We know we have the lowest birth rate since the 1970's and a 20% increase above the average in deaths since the lockdowns. From 2022-2023 Victoria's population has increased by 2.89% 32,084 natural increase and 192,723 from immigration. Does council have supporting modelling date? The SRL run community sessions have not concluded. When will council consult the wider impacted Clayton community? When will they be told about the 25 storey buildings planned? Dates please?

The Mayor read the following response:

The Suburban Rail Loop project is a State Government and not a Council project. The precinct planning work and the modelling referred to is work undertaken by the SRLA. These questions are best referred to them for a response. Council has not undertaken nor do we have any modelling. The SRLA consultation is via Engage Victoria, Pop Up Information Sessions and Community Panels. Council will not be running any additional consultation sessions, and will be providing a submission to the SRLA plans as every person is able to if they choose.

Question 3- Maria Palatsides from Hughesdale asked:

Has the SRLA/ State Gov provided any guarantees in regards to social and affordable housing in Monash even in regards to the high-rise developments around these secondary train stations? Will the land that is planned to be developed into high rises be sold off to private Australian or overseas developers to build? With immigration increasing which puts pressure on existing housing supply the increase in quantity does not provide a guarantee that the housing created will be affordable in fact demand and supply will dictate that. Has Monash Council received any written guarantees from the SRLA/ state gov on actual allocations for social housing? Is there any data on the impacts of increasing social housing in an area? Has the community been consulted? Has any thought been given to the impacts of a higher population concentration like the impact on an already fractured hospital and health system in and around Clayton? Has the increased demand on council services from rubbish to community diversity and cohesion services been mapped out by council?

The Mayor read the following response:

As with the response to the previous question, your questions are best directed to the SRLA as this is their project and their work. However, the SRLA has not provided any information or details to Council regarding social and affordable housing as part of redevelopment in and around the SRL stations and we have not been advised whether they are considering any of these locations for social housing. Impacts on Council provided services will need to be assessed and considered, but the precinct planning work is still in its early stages.

Council will be providing a submission to the SRLA on many aspects of the latest round of consultation, including on matters such as affordable housing community infrastructure, open space, sustainability, built form and transport.

We do not know who the future owners or developers of this land may be.

Question 4- Maria Palatsides from Hughesdale asked:

During the community brainstorming at the Clayton SRL feedback sessions we were asked in groups to create a pro's and con's list for high rise, mixed density and low density scenarios. The one that overwhelmingly presented the most issues was the high rise and mixed density scenarios, residents are concerned about maintaining small local business and the village feel, the increase in crime, privacy issues, the impact on resources, energy, utilities, facilities in the area and surrounds, social and health impacts, access to nature, sunlight, access to emergency services, cost of transport, reduction and discouragement of private vehicle usage which will impact the sick and disabled, pollution, access to local produce and producers and of course achieving net zero. The destruction of our trees and replacement of high rises contributes to local heating it generates a bigger carbon footprint which is in antithesis with councils Net zero goals. The destruction of our green neighbourhoods and local environment will be the legacy of every councillor and will be the biggest upcoming election topic. Do the councillors honestly believe that they are facilitating positive change for the living men and women of Monash?

The Mayor read the following response:

As mentioned in the responses to the previous questions, as a SRLA project that is being lead by them, it is unclear how Council is seen to be facilitating what is proposed.

We hope and encourage the SRLA and State Government to listen and address all the concerns that are received in their consultation including by all residents and Council.

Question 5- Samantha Fernando from Hughesdale asked:

As the council support climate change initiatives, can you please advise what % of the atmosphere has carbon and at what carbon level do plant life perish?

The Mayor read the following response:

Your question would be best addressed by a climate scientist but I am happy to share what Council has committed to.

We can confirm Council has committed to achieving net zero emissions by 2025 and

- **Corporate Emissions are currently 60.4% less than 2018/2019 baseline**
- **Monash Council saved \$1.44 million in electricity costs to 30 June 2023**
- **In 2022/2023, 12 installations were completed under the solar savers program**
- **There are now 10 electric charging stations for corporate vehicles**

We encourage you to visit Council's website to learn more about how we are achieving net zero emissions.

Question 6- Peter Palatsides from Hughesdale asked:

1. There was a fatality at the corner of Hanover and Atherton Road. How many accidents have occurred at this intersection in the last 5 years, in the last 10 years?
2. What is the traffic lights pattern for this set of lights? How long has it been like this? When was it last changed?
3. What can council do to get the lights changed so that its a red arrow whilst pedestrians are crossing and either disappear or turn green after green man/flashing red man has turned solid red?
4. Do Vic roads need to be engaged? What is the process?
5. What other sensible actions can council recommend to remove this risk?

The Mayor read the following response:

Over the last five years to 30 June 2023, there were 4 reported crashes and in the last 10 years to 30 June 2023, there were 7 reported crashes based on the Victorian Crash Data.

The Department of Transport and Planning (DTP) advises that this intersection has three signal phases. Two phases allow pedestrian crossings with parallel traffic and one phase that allows a right turn from Atherton Road into Hanover Street and left turn from Hanover Street into Atherton Road. There is a need to balance the movements and wait time of pedestrians and vehicles, as both motorists and pedestrians are more likely to take risks when wait times are too long.

As part of the cycling connection project along Atkinson Street this intersection will be redesigned and a traffic signal plan will be developed. This will have regard to a number of factors including crash statistics and data, and any information from Police on specific accidents.

Any changes to major traffic control devices including signals require DTP approval.

Question 7- Gordon Percival from Hughesdale asked:

Asbestos is a naturally occurring fibrous silicate mineral. It is composed of long thin fibrous crystals, each fibre being composed of many microscopic "fibrils" that can be released into the atmosphere by abrasion, disturbance and other processes. Inhalation of asbestos can lead to lodgement of fibres in the lungs, a centre for cancer growth and lead to various dangerous conditions, including mesothelioma, asbestosis and full lung cancer. Asbestos contamination has been confirmed at eight parks and playgrounds across Melbourne (at Altona, Altona North, Pascoe Vale South, Spotswood, North Coburg and in council areas of Brimbank and Merri-bek). Has Monash Council acted pro-actively and commission a hygienist, as recommended by the EPA, to inspect and collect samples for analysis from all playgrounds and sportsgrounds and developed procedures to ensure they are safe and for the future, effectively monitored to protect the young and vulnerable members of our community?

The Mayor read the following response:

Council through its stringent management practices has not located any asbestos containing material within its Council managed playgrounds.

If material suspected to contain asbestos is found throughout Council managed facilities, open space network, or playgrounds a qualified and competent person (generally a qualified occupational hygienist) is engaged to carry out the identification and risk assessment process taking material samples as required.

To ensure that Council complies with our obligations under the Environment Protection Act 2017, and the EPA recommendations circulated in February this year Council has:

- 1. Reviewed our processes to ensure we can quickly respond.**
- 2. Reviewed our quality assurance process.**
- 3. Continued its proactive regular visual inspections of soft fall mulch.**

Minimised the use of third party provided bush mulch by utilising the mulch that is generated via Council tree maintenance programs.

Question 8- Samantha Fernando from Hughesdale asked:

Noting the increase on attacks on woman with babies given their vulnerability, why have Monash City Council not implemented safe places for mother with babies, in particular pram parking?

The Mayor read the following response:

On public roads and car parks, Council is required to comply with the current Australian Standards in relation to parking restrictions. These types of designated spaces are not identified within the standards. Where they are provided, they are as a courtesy and convenience.

We encourage people to park where they feel safe and as close to their destination as possible. It is difficult for Council to balance all parking needs including providing segregated parking, especially if it is unable to be enforced. To increase safety we have prioritised increased lighting in and around carparks.

At 7.24pm Public Question Time concluded.

7 OFFICERS' REPORTS

7.1 City Development

7.1.1 TOWN PLANNING SCHEDULE

Moved: Cr Little

Seconded: Cr Luo

RECOMMENDATION

That Council notes the report containing the Town Planning Schedules.

CARRIED

7.1.2 52 GOLF ROAD OAKLEIGH SOUTH- TPA/55756- USE AND DEVELOPMENT OF THE LAND FOR A RESIDENTIAL AGED CARE FACILITY AND RETIREMENT VILLAGE GENERALLY IN ACCORDANCE WITH THE APPROVED DEVELOPMENT PLAN AND DISPLAY OF SIGNAGE

Moved: Cr Little

Seconded: Cr James

RECOMMENDATION

That Council resolves to Grant a Planning Permit TPA/55756 for the development of the land for a residential aged care facility and retirement village, use of the land for a retirement village and the display of a floodlit business identification sign generally in accordance with the approved Development Plan at 52 Golf Road, Oakleigh South subject to the following conditions:

Amended Plans Required

1. Before the development or use starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application, prepared by Clarke Hopkins Clarke Revision A, dated 2 April 2024 but modified to show:
 - a) Screening details to prevent overlooking to the secluded private open space and habitable room windows of the north adjoining properties located within 9.0 metres of the northern boundary to meet the objectives of Standard B22 *Overlooking objective*;
 - b) A notation referring to the tree protection measures in accordance with the Tree Management Plan (required under Condition 7);
 - c) The visitor parking space in front of single garages for any 3-bedroom dwelling to have minimum length of 5.4 metres;

- d) Details of all mechanical ventilation (including heating and cooling units) located outside the main building or on the rooftop with appropriate screening incorporated into the architectural design of the building;
- e) The location of all services and any required electricity substations, fire services, gas and water meters. The required services must be suitably painted, screened and landscaped to the satisfaction of the Responsible Authority to minimise their visual prominence;
- f) Increase setback of fixed objects (e.g. substation, fire hydrant) from within the turning areas of the Fire Rescue Victoria truck to improve manoeuvrability in the south-west corner of the internal access road.
- g) The accessible parking designed in accordance with the Australian Standard for *Off-Street Parking for people with disabilities, AS/NZS 2890.6* including the vehicle path to and from each accessible space to have a minimum headroom of 2.2 metres and the headroom above each dedicated space and adjacent shared area be a minimum of 2.5 metres;
- h) Design of the bicycle parking spaces and associated signage as per requirements set out in Clause 52.34 of the Monash Planning Scheme ;
- i) A corner splay or area at least 50% clear of visual obstruction (or with a height of less than 1.2m) extending at least 2.0 metre long x 2.5 metres deep (within the property) on both sides of each vehicle crossing to provide a clear view of pedestrian on the footpath of the road;
- j) Notation to read 'existing street tree (*Tree 66- Eucalyptus leucoxylon*) must only be removed and replaced by Council at the cost of the developer, prior to the commencement of the development';
- k) A Landscape Plan in accordance with Condition 5;
- l) A Tree Management Plan in accordance with Condition 7;
- m) An amended Waste Management Plan under Condition 9; and
- n) An amended Sustainable Management Plan under Condition 10.

All to the satisfaction of Responsible Authority.

Compliance with Documents

2. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
3. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Ongoing Architect Involvement

4. As part of the ongoing consultant team, Clarke Hopkins Clarke or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:

- a) **Oversee design and construction of the development; and**
- b) **Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.**

Landscaping and Management Plans

Landscape Plan

5. **Concurrent with the endorsement of any plans required pursuant to Condition 1, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by T.C.L dated 14 February 2024 except that the plan must show:**
- a) **The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;**
 - b) **The hydrant booster enclosure, electricity supply, gas and water meter boxes incorporated into the landscape setting;**
 - c) **The detail of the proposed paving;**
 - d) **The location and operational detail of external lighting (if any); and**
 - e) **The provision of an in-ground, automatic watering system linked to rainwater tanks on the land servicing the main garden areas,**
- all to the satisfaction of the Responsible Authority.**
6. **Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.**

Tree Management Plan

7. **Concurrent with the submission of amended plans required by Condition 1 and prior to any demolition or site works, a Tree Management Plan (TMP) must be submitted to and approved by the Responsible Authority. The TMP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of the nine (9) trees to be retained on site and on adjoining properties.**

The TMP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of the site. The TMP must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:

- a) **A Tree Protection Plan drawn to scale that shows:**
 - I. **Tree protection zones and structural root zones of all trees to be retained,**

- II. All tree protection fenced off areas and areas where ground protection systems will be used;
 - III. The type of footings within any tree protection zones;
 - IV. Any services to be located within the tree protection zone and a notation stating all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and
 - V. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones.
- b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.
 - c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and
 - d) Any remedial pruning works required to be performed on tree canopies located within subject site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

The recommendations contained in the approved tree management plan must be implemented to the satisfaction of the Responsible Authority.

- 8. All trees specified in the endorsed Tree Management Plan are to be protected and maintained in accordance with the recommendations set out in the report, to the satisfaction of the Responsible Authority.

Waste Management Plan

- 9. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan must be approved by the Responsible Authority. The plan must be generally consistent with the Waste Management Plan prepared by Ratio Consultants Pty Ltd, Revision REP03-F01 dated 20 February 2024 but revised to the satisfaction of the Responsible Authority:
 - a) Swept path diagrams to demonstrate suitable waste collection vehicle access from within the site.

The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

- 10. Concurrent with the endorsement of plans required pursuant to Condition 1, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible

Authority. The plan must be generally in accordance with the SMP prepared by GIW Environmental Group, Revision G dated 20 February 2024 but amended to reflect the amended development plan required under Condition 1 of this permit.

The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

11. Prior to the commencement of any development works (including excavation but excluding tree removal), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. No construction works are permitted to occur until the CMP has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
- a) Appropriate measures to control noise, dust and water and sediment laden runoff.
 - b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network.
 - c) Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable.
 - d) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network.
 - e) A program for the cleaning and maintaining surrounding road surfaces.
 - f) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves.
 - g) Measures to provide for public safety and site security.
 - h) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay.
 - i) A Traffic Management Plan showing truck routes to and from the site.
 - j) A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction.
 - k) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP.
 - l) The provision of contact details of key construction site staff.
 - m) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;

- Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)
- No works are permitted on Sundays or Public Holidays except with the prior written consent of the Responsible Authority.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with by all contractors to the satisfaction of the Responsible Authority.

Car Parking Management Plan

12. Prior to occupation of premises approved by this permit, a Car Parking Management Plan (CPMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The CPMP must address, but not be limited to, the following:
- a) The number and location of car parking spaces allocated to each building for residents;
 - b) The location and number of any staff car parking spaces;
 - c) The location and number of any visitor car parking spaces;
 - d) Details of way-finding, cleaning and security of end of trip bicycle facilities;
 - e) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits and restrictions;
 - f) No less than 1 car space must be available on the land for each one and two bedroom dwelling within the retirement village component of the approved development. No less than 2 car spaces must be available on the land for each three bedroom dwelling within the retirement village component of the approved development; and
 - g) The Car Parking Management Plan must provide for adequate allocation of car parking to service all uses to be undertaken on the land including a designated allocation of car spaces for staff, residents and visitors.

Once approved the Car Parking Management Plan will be endorsed to form part of this permit. Car parking is to be provided in accordance with the endorsed Car Parking Management Plan and implemented to the satisfaction of the Responsible Authority.

Use Conditions

13. The amenities and other communal facilities must only be used by residents and their guests or by members of staff, to the satisfaction of the Responsible Authority.
14. The car parking spaces for the Aged Care Facility and Independent Living Apartments/ Villas must not be individually subdivided.

15. Lighting must be provided to the satisfaction of the Responsible Authority to ensure that car park areas and pedestrian accessways are adequately illuminated during evening periods without any loss of amenity to occupiers of nearby land to the satisfaction of the Responsible Authority.
16. After commencement of the use, a Manager (or suitably authorised delegate) must be present on the land at all times.
17. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works or materials;
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products;
 - (d) presence of vermin.
18. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
19. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.
20. Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.

Tree Protection

21. All existing vegetation (including trees on adjacent land and nature strips) shown on the endorsed plans must be suitably identified before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
22. Before any development (including excavation) starts on the land, a tree protection fence must be erected around all trees that are to be retained, or are located within or adjacent to any works area (including street trees and trees on adjacent land). The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority.
23. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of those trees.

24. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Council street-trees to be retained during the construction period of the development hereby permitted without the prior written consent of the Responsible Authority.
25. No vehicle access or parking within the Tree Protection Zone of any tree to be retained.
26. All buildings and works within the Tree Protection Zone and Critical Root Zone as specified in the endorsed Tree Management Plan must be supervised by a suitably qualified and experienced arborist, to the satisfaction of the Responsible Authority.

Car Parking Conditions

27. Before the development permitted is completed and the premises is occupied, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed to the satisfaction of the Responsible Authority;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - (d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
 - (e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

28. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.
29. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.
30. The loading and unloading of goods from vehicles must only be carried out on the land.
31. All redundant vehicle crossovers and parking bay are to be removed and reinstated with kerb and channel to the satisfaction of Council.

Drainage & Stormwater

32. The site must be drained to the satisfaction of the Responsible Authority.
33. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.

Signage

34. The location, layout, dimensions, structures and features of the approved sign(s) shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
35. All signs must be constructed and maintained to the satisfaction of the Responsible Authority.
36. All signs must be located wholly within the boundary of the land.

General Conditions

37. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
38. Prior to the occupancy of the development, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

Time for Starting and Completion

39. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - (a) The development is not started before three (3) years from the date of issue.
 - (b) The development is not completed before six (6) years from the date of issue.
 - (c) The use is not started before six (6) years from the date of issue.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- (i) within six (6) months afterwards if the development has not commenced; or
 - (ii) within twelve (12) months afterwards if the development has not been completed.
- Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.
40. The approved sign of this Permit will expire 15 years from the date of issue of this permit.

NOTES-

- A. This is not a Building Permit. Building Permit approval must be obtained prior to the commencement of the above approved works.**
- B. Engineering permits must be obtained for new or altered vehicle crossings works within the Road Reserve and for stormwater connections and these works are to be inspected by Council.**
- C. A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of any works. The plans are to show sufficient information to determine that the drainage and civil works will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on www.monash.vic.gov.au**
- D. Stormwater is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to any stormwater drainage works commence.**
- E. The design parameters for the internal detention system are to be obtained from Council's Engineering Department (mail@monash.vic.gov.au).**
- F. No polluted and/or sediment laden stormwater runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.**
- G. An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.**
- H. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.**
- I. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, nature strip, kerb and channel to the satisfaction of the Responsible Authority.**
- J. Any works within the road reserve must ensure the footpath and nature's trip are to be reinstated to Council standards.**
- K. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.**
- L. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit or other services. Approval from the affected service authorities is required as part of the vehicle crossing application process.**

- M. Tree planting should be kept clear of any drainage easement.
- N. All costs associated with the removal and replacement of a tree or trees are to be borne by the resident or landowner who has requested the removal. Please contact Council's Horticultural Department to establish the tree valuation and removal timing.
- O. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- P. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.
- Q. Any residents and employees of the approved development will not be entitled to car parking permits for on street car parking.
- R. The Aged Care Facility and Retirement Village must be operated and managed in accordance with the *Aged Care Act 1997* and *Retirement Villages Act 1986 (Vic)* or future legislation which may supersede these Acts.

CARRIED

7.1.3 3 & 5 MURRAY STREET CLAYTON- TPA/55508- USE AND DEVELOPMENT OF A FOUR (4) STOREY MEDICAL CENTRE

Moved: Cr Zographos Seconded: Cr Little

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit TPA/55508 for the use and development of a four (4) storey medical centre at 3-5 Murray Street Clayton subject to the following conditions:

Amended Plans Required

1. Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by Alta Architecture Pty Ltd but modified to show:
 - a) The proposed western vehicle crossover to have a minimum setback of 4 metres to the street tree (*Melaleuca linariifolia*) adjacent to No. 3 Murray Street. Alternatively, if the crossover is to be setback less than 4 metres from the street tree, the proposed setback must be accompanied by supporting arboricultural advice from a qualified arborist or other person with similar qualification to the satisfaction of the Responsible Authority;

- b) Tree protection measures for the street tree (*Melaleuca linariifolia*) adjacent to No.3 Murray Street notated on the ground floor plan;
- c) Notation that the street tree adjacent to No. 5 Murray Street (*Tristanopsis laurina*) is to be removed by Council, at the developer's cost;
- d) Details of the material of construction and design of the external screening to provide a maximum of 25% transparency to prevent overlooking;
- e) The area south of the at-grade ground level car space G.08 clearly marked 'no parking' or hatched out for waste vehicle turning movements on the ground floor plan;
- f) Any required fire services, electricity supply, gas and water meter boxes screened to complement the development;
- g) Indicative location of additional landscaping to buffer the paved area within the front setback;
- h) Details of the materials and construction of the northern boundary fence in accordance with the acoustic report as required by condition 14 of this Permit;
- i) Any changes to the façade materials recommended by the reflected glare assessment required under Condition 4;
- j) An amended Landscape Plan in accordance with Condition 8;
- k) Labelling of staff and customer parking in accordance with the Car Parking Management Plan required under Condition 12;
- l) An amended Waste Management Plan in accordance with Condition 13;
- m) An Acoustic Report in accordance with Condition 14; and
- n) An amended Sustainability Management Plan in accordance with Condition 17.

All to the satisfaction of the Responsible Authority.

Compliance with documents approved under this Permit

2. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Layout not to be Altered

3. The development and use as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Reflected Glare Assessment, Disability Glare & Discomfort Glare

4. Concurrent with the endorsement of any plans requested pursuant to Condition 1, a reflected glare assessment of external building materials and finishes, utilising an appropriate methodology prepared by a suitably qualified person, must be prepared and submitted to the satisfaction of the Responsible Authority.

5. **Specular light reflectance must be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the responsible authority.**
6. **External glazing and cladding materials and finishes must avoid disability glare to public transport operators, road users and aircraft, to the satisfaction of the Responsible Authority.**
7. **Extended periods of discomfort glare for pedestrians and occupants of surrounding buildings caused by glazing (including tilted glazing) and external cladding materials and finishes with specular or glossy finishes must be avoided or minimised, to the satisfaction of the Responsible Authority.**

Landscaping Plan

8. **Concurrent with the endorsement of any plans requested pursuant to Condition 1, a Landscape Plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. The Landscape Plan must be generally in accordance with the Landscape Concept Report prepared by Taylors, dated February 2024 except that the plan must show:**
 - a) **At least one canopy tree with an anticipated mature height of minimum 15 metres, within the front setback area;**
 - b) **Provision of canopy trees with spreading crowns located throughout the site including the front and rear setback areas;**
 - c) **Additional planting to soften the appearance of hard surface areas such as driveways and paving areas within the front setback;**
 - d) **A planting schedule of all proposed trees, screen planting, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), pot / planting size, location, botanical names and quantities;**
 - e) **The location of external lighting (if any);**
 - f) **The location of any fencing internal to the site;**
 - g) **A combination of canopy trees and screen planting along common property boundaries;**
 - h) **The location of any retaining walls associated with the landscape treatment of the site;**
 - i) **Details of all proposed surface finishes including pathways, accessways, patio or decked areas;**
 - j) **The location of Tree Protection Zones and Tree Protection Fencing for any trees to be retained (including street tree *Melaleuca linariifolia*); and**
 - k) **The provision of an in-ground, automatic watering system linked to rainwater tanks on the land servicing the main garden areas.**

all to the satisfaction of the Responsible Authority.

9. Before commencement of the use allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.
10. All landscaping works shown on the endorsed landscape plan(s) must be maintained and any dead, diseased, or damaged plants replaced, all to the satisfaction of the Responsible Authority.
11. An in-ground, automatic watering system linked to rainwater tanks on the land must be installed and maintained to the common garden areas to the satisfaction of the Responsible Authority.

Car Park Management Plan

12. Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
 - a) The number and location of car parking spaces allocated to each tenancy;
 - b) Any tandem spaces allocated to a single tenancy and for staff parking.
 - c) Staff car parking spaces relocated to Basement Level 2.
 - d) The management of car parking spaces and security arrangements for occupants of the development, including details on how visitors are to access car parking;
 - e) The Car Parking Management Plan must specify a requirement of no paid parking arrangement within public parking areas;
 - f) Details of wayfinding, cleaning and security of end of trip bicycle facilities;
 - g) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc; and,
 - h) Details regarding the management of loading and unloading of goods and materials.

The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan (WMP)

13. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the WMP prepared by Low Impact Development Consulting dated 27 February 2024 but modified to show:
 - a) The TPA number and existing land use in the introductory section.
 - b) Details of compliance with permitted collection times as per City of Monash Local Law No.3 and EPA Guidelines.

- c) Scaled plans incorporated in the WMP to indicate bin storage areas, amenity (screening, odour and noise), cleaning/ washing, drainage to sewer, accessibility and bin maneuverability.

The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

- 14. Concurrent with the endorsement of plans pursuant to Condition 1, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Acoustic Engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The acoustic report must be generally in accordance with the report prepared by Enfield Acoustic Pty Ltd dated 2 November 2023 but modified to include an assessment of proposed plant material.

The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Crane Construction Management Plan

- 15. Prior to the commencement of any development in accordance with this permit, a Crane Construction Management Plan in relation to the location and height of any temporary construction equipment with respect to the flight path of Emergency Medical Services helicopters accessing the helipad at Monash Medical Centre must be prepared to the satisfaction of the Department of Health and Human Services and be approved by the responsible authority. The Crane Construction Management Plan must include measures to minimise the impact of the construction of the permitted building on the safe and unfettered operation of the helipad at the Monash Medical Centre. The management measures incorporated within the plan must be implemented during the construction of the building to the satisfaction of the Responsible Authority.

Construction Management Plan

- 16. Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the CMP has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
 - a) Appropriate measures to control noise, dust and water and sediment laden runoff.
 - b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network.
 - c) Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable.

- d) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network.
- e) A program for the cleaning and maintaining surrounding road surfaces.
- f) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves.
- g) Measures to provide for public safety and site security.
- h) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay.
- i) A Traffic Management Plan showing truck routes to and from the site.
- j) A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction.
- k) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP.
- l) The provision of contact details of key construction site staff.
- m) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;
 - Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)
 - No works are permitted on Sundays or Public Holidays except with the prior written consent of the Responsible Authority.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with by all contractors to the satisfaction of the Responsible Authority.

Sustainability Management Plan (SMP)

17. Concurrent with the endorsement of plans requested pursuant to Condition 1, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the SMP prepared by Low Impact Development Consulting, Revision 1.1 dated 27 February 2024 but amended to include any changes required under Condition 1 of this permit.

The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority.

Ongoing Architect Involvement

18. As part of the ongoing consultant team, Alta Architecture or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:
- a) oversee design and construction of the development; and
 - b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Hours of Operation

19. The medical centre allowed under this permit may operate only during the following hours, except with the prior written consent of the Responsible Authority:
- Monday to Friday: 7am to 7pm;
 - Saturday and Sunday: 8am to 5pm.

Delivery Hours

20. All deliveries must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:
- Monday to Friday – 8am to 7pm
 - Saturday: 8am to 1pm
 - Sunday: No deliveries permitted,
- to the satisfaction of the Responsible Authority.

Loading and Unloading

21. All loading and unloading of vehicles must be carried out and be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

Amenity of Area

22. The amenity of the area must not be detrimentally affected by the use or development, through the:
- transport of materials, goods or commodities to or from the land;
 - appearance of any building, works or materials;
 - emission of noise; and
 - storage of prescribed waste,
- To the satisfaction of the Responsible Authority.

Infectious Wastes

23. Any prescribed waste (as defined by the EPA) which leaves the premises of generation must be disposed of in accordance with Environmental Protection Authority (EPA) requirements.

Tree Protection

24. Before any development (including demolition) starts on the land, a tree protection fence must be erected around all trees that are to be retained, or are located within or adjacent to any works area (including street trees and trees on adjacent land). The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority.
25. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of those trees.
26. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Council street-trees to be retained during the construction period of the development hereby permitted without the prior written consent of the Responsible Authority.
27. No vehicle access or parking within the Tree Protection Zone of any tree to be retained.
28. The existing street tree *Tristanopsis laurina*, water gum must only be removed and replaced by Council at the cost of the developer, prior to the commencement of the development.

Car Parking and Accessways

29. Before the use starts or any part of the building is occupied, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Fully constructed.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced with an all-weather sealcoat.
 - d) Drained, maintained and not used for any other purpose.
 - e) Line-marked to indicate each car space and all access lanes.all to the satisfaction of the Responsible Authority.
30. Parking areas and access lanes must be kept available for these purposes at all times.
31. Any modification to the existing vehicle crossovers must be constructed to the satisfaction of the Responsible Authority.
32. Low intensity / baffled lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.

Bicycle Parking

- 33. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.**

Services and Plant Equipment

- 34. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.**
- 35. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.**
- 36. Air-conditioning and other plant and equipment installed on or within the buildings must be so positioned and baffled that any noise emitted complies with the appropriate Australian Standards and EPA requirements.**

Drainage & Stormwater

- 37. The site must be drained to the satisfaction of the Responsible Authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.**

Privacy screens

- 38. Prior to the occupancy of the development, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained ongoing to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent glass or windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.**

Completion of Buildings and Works

- 39. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**

Time for Starting and Completion

- 40. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - (a) The development is not started before two (2) years from the date of issue.**
 - (b) The development is not completed before four (4) years from the date of issue.****

(c) The use is not started before 4 years from the date of issue.

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

(i) within six (6) months afterwards if the development has not commenced; or

(ii) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

NOTES

- A. This is not a Building Permit. Building Permit approval must be obtained prior to the commencement of the above approved works.
- B. Engineering permits must be obtained for new or altered vehicle crossings works within the Road Reserve and for stormwater connections and these works are to be inspected by Council.
- C. A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of any works. The plans are to show sufficient information to determine that the drainage and civil works will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on www.monash.vic.gov.au
- D. Stormwater is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to any stormwater drainage works commencing.
- E. The design parameters for the internal detention system are to be obtained from Council's Engineering Department (mail@monash.vic.gov.au).
- F. No polluted and/or sediment laden stormwater runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.
- G. An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity. It is recommended that the driveway down to the basement be constructed with an apex.
- H. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.
- I. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, nature strip, kerb and channel to the satisfaction of the Responsible Authority.

- J. Any works within the road reserve must ensure the footpath and nature's strip are to be reinstated to Council standards.
- K. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
- L. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit or other services. Approval from the affected service authorities is required as part of the vehicle crossing application process.
- M. All costs associated with the removal and replacement of a tree or trees are to be borne by the resident or landowner who has requested the removal. Please contact Council's Horticultural Department to establish the tree valuation and removal timing.
- N. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- O. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.
- P. Any tenants and traders of the approved development will not be entitled to car parking permits for on street car parking.

CARRIED

7.1.4 1 IVANHOE STREET GLEN WAVERLEY

Moved: Cr Luo

Seconded: Cr Little

RECOMMENDATION

That Council resolves to issue an Extension of time to Planning Permit No. TPA/41807 for the development of five (5) double storey dwellings with basement car parking and building and works on land subject to a Special Building Overlay (SBO1) at 1 Ivanhoe Street Glen Waverley, pursuant to the provisions of Section 69(2) of the *Planning and Environment Act 1987*.

1. That in accordance with Section 69(2) of the *Planning and Environment Act 1987*, the time for the completion of the development be extended by a further one (1) year. The development must be completed by 6 May 2025.

CARRIED

7.1.5 SUBURBAN RAIL LOOP PRECINCT PLANNING UPDATE

Moved: Cr Little

Seconded: Cr Luo

RECOMMENDATION

That Council

1. Notes the release of the Phase Two – Shaping the Plans engagement document package for each Station Precinct area and that the information contained in these plans remains at a conceptual and principle level rather than providing specific direction.
2. Notes that as part of this Phase the Structure Plan boundaries for each Station Precinct have been finalised, but there remains an absence of detail on how these boundaries were determined.
3. Notes that significant increases in allowable building height is proposed in each of the Structure Plan areas, including the nomination of existing conventional 2 storey suburban areas to 6 storeys areas.
4. Notes that the building heights proposed for the commercial core areas of each precinct appear to have been developed based on development heights that are currently occurring, and that basing building heights in commercial core areas on current development approvals appears to be contrary to the overall objective of the SRL project and may result in a loss of development potential and under development in these precincts, which in turn is likely to place additional development pressure in surrounding suburban areas.
5. Notes that achieving the proposed building heights across each precinct will require significant changes to current planning controls. This will require planning controls designed to a more Central Business District standard with a greater emphasis on building height, assessing solar access protections to key public spaces, rather than across pedestrian corridors (as currently included in Council's Glen Waverley and Clayton Structure Plans) and stronger requirements around wind modelling.
6. Notes that the change in emphasis likely for planning controls described in Point 5, will have the biggest impact on the existing planning controls for Clayton and Glen Waverley Activity Centres.
7. Notes that there remains a significant gap in the provision of information on community and civic infrastructure and there appears to be an underlying assumption that existing Council facilities will be expanded or upgraded to meet future need generated by the SRL and that in the absence of any value capture or development contribution mechanism there is the potential for future financial risks and pressure on Council to deliver community and civic infrastructure alluded to in the SRLA plans.
8. Notes that the Structure Plan material prepared by the SRLA will take precedence over Council's Structure Plans (except where current zoning limits heights in the residential areas). This SRLA work, once complete, will likely formally replace existing zones and structure plans within Council's Planning Scheme.
9. Notes that a further, more detailed report on the current engagement process and issues will be presented to a future Council meeting.

CARRIED

7.2 Community Services

7.2.1 MONASH CRICKET PARTICIPATION PLAN

Moved: Cr McCluskey Seconded: Cr James

RECOMMENDATION

That Council endorses the Monash Cricket Participation Plan as presented in Attachment 1, noting there have been no changes made to the plan following public exhibition of the draft.

CARRIED

Meeting Notes

- Cr Paterson left the meeting at 7.43pm and returned at 7.49pm.
- Cr Paterson did not participate in the vote for this item.

7.2.2 2024/25 MONASH COMMUNITY GRANTS PROGRAM RECOMMENDATIONS

Moved: Cr McCluskey Seconded: Cr Little

RECOMMENDATION

That Council approves the in-principle allocation of the 2024/25 Monash Community Grants Program budget (\$2,591,894), subject to the adoption of Council's 2024/25 budget, in the following way:

- a) Allocates a total of \$2,438,125.80 in financial and in-kind grant allocations to local community groups and organisations in line with the Monash Community Grants Program Policy & Guidelines.
- b) Allocates an additional \$15,000 to increase the Quick Response Grant budget for 2024/25 from \$60,000 to \$75,000 to enable Council to continue assisting the community throughout the funding year.
- c) Allocates the residual surplus to create a one-off grant program to support emergency relief organisations to undertake projects which will support their sustainability.

CARRIED

7.2.3 RECOMMENDATIONS FOR MAPH COMMUNITY ASSET COMMITTEE CALLED THE COMMITTEE OF MANAGEMENT

Moved: Cr McCluskey Seconded: Cr Little

RECOMMENDATION

That Council

1. Approves the reappointment of Val Brown to the Museum of Australian Photography Committee of Management for a term of three years from 30 May 2024 – 31 May 2027
2. Approves the reappointment of Kirsty Grant to the Museum of Australian Photography Committee of Management for a term of three years from 3 June 2024 – 2 June 2027
3. Approves the reappointment of Richard Janko to the Museum of Australian Photography Committee of Management for a term of three years from 4 May 2024 – 3 May 2027.

CARRIED

7.2.4 2023/24 MONASH QUICK RESPONSE GRANTS PROGRAM RECIPIENTS - MAY

Moved: Cr McCluskey Seconded: Cr Little

RECOMMENDATION

That Council notes the successful application that has been funded through the Quick Response Grant program during the period 3 to 23 April 2024 to a total of \$1,514.46.

CARRIED

7.3 Corporate Services

7.3.1 2024-25 ADOPTED BUDGET

Moved: Cr Zographos Seconded: Cr Luo

RECOMMENDATION

That Council:

1. adopts the Annual Budget 2024/25, as presented, for the purpose of adoption of the annual budget for 2024/25 at its meeting 28 May 2024;

2. adopts the Schedule of Fees and Charges, as detailed in the Annual Budget 2024/25, to be effective from 1 July 2024 (except as otherwise indicated);
3. applies differential rating using Capital Improved Value (CIV) as the basis of valuation to all rateable land to raise rates by 2.75 per cent in 2024/25;
4. applies the final confirmation to the valuation data provided by the Valuer General and signed by the Minister in order to comply with Minister's rate cap determination.
5. recognises that ratepayers receiving pensions should be given assistance to remain in their homes, maintains the Council funded \$50 rate rebate to assist eligible pensioners with their Council rates;
6. applies a service charge under Section 162 of the Act, Recycling and Waste Charge of \$52 per rateable property; and provide a \$52 rebate under Section 171 of the Local Government Act 1989 for eligible pensioners towards the Recycling and Waste Charge;
7. that the Rates will be separately levied in respect of each portion of rateable land for which Council has as separation valuation (unless Council has determined a charge in lieu of rate in accordance with the Cultural and Recreational Lands Act 1963);
8. that Council provides a concession of 60% of the relevant rate for qualifying properties in accordance with the Cultural and Recreational Lands Act 1963 (CRLA);
9. in accordance with Section 167 of the Local Government Act 1989, declares the rates and charges must be paid:
 - a) in a lump sum on or before 17 February 2025; or
 - b) by 4 instalments on or before:
 - * 30 September 2024
 - * 02 December 2024
 - * 28 February 2025
 - * 02 June 2025; or
 - c) by 10 instalments on or before:
 - * 02 September 2024
 - * 01 October 2024
 - * 01 November 2024
 - * 02 December 2024
 - * 02 January 2025
 - * 03 February 2025
 - * 03 March 2025
 - * 01 April 2025
 - * 01 May 2025
 - * 02 June 2025
10. will apply interest to overdue rates and charges payments in accordance with Section 172 of the Local Government Act 1989, noting that the rate of the interest is payable on the rates and charges which have not been paid by the dates declared, is fixed in accordance with Section 2 of the Penalty Interest Rates Act 1983;
11. allows for overdue non-instalment payers, an additional 21 days from the 15 February to pay any overdue rates, before the application of the interest referred to in part 10 of this resolution;
12. advises each of the members of the public who provided submissions to the development of the Annual Budget 2024/25 that all submitters that Council considered their submission, thank them for their contributions, and advise them of the outcome of the consideration as it relates to their submission; and

13. authorise the Chief Executive Officer to make any administration changes as required to the Annual Budget 2024/25 and make final documents available for public inspection.

CARRIED

2024140 – AUTOMATED SOFTWARE TESTING SOLUTION

Moved: Cr Little

Seconded: Cr Paterson

RECOMMENDATION

That Council:

1. Awards the tender from Corptec Technology Partners Pty Ltd for Automated Software Testing Solution, Contract No. 2024140 for a fixed Lump Sum of \$483,089 for the initial term of three (3) years and an estimated total contract value of \$1,229,175 inclusive of maintenance, support, product licensing, additional modules, extension options, and consulting services (executable at Council's option)
2. Approves an additional \$184,376 for Contingencies
3. Authorises the Chief Executive Officer to execute the contract agreement
4. Notes that the contract will commence on 3 June 2024, with an initial term of three (3) years, with two separate extension options of two (2) years each and the expected completion date is 2 June 2027
5. Notes that the total budget including the contract fixed Lump Sum, Contingencies and Provisional Items is \$1,413,551; and
6. Notes that the estimated schedule of rates contract values for the two separate extension options of two (2) years each stated above are also subject to an annual CPI indexation as per the contract.

(*Please note that all dollar figures are GST Inclusive unless stated otherwise).

CARRIED

7.4 City Services

7.4.1 INFORMAL MEETING OF COUNCILLORS RECORDS

Moved: Cr Little

Seconded: Cr Luo

RECOMMENDATION

That Council notes the Informal Meetings of Councillors Records.

CARRIED

7.5 Chief Executive Officer

7.5.1 RESULTS OF 2024 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY

Moved: Cr James

Seconded: Cr Luo

RECOMMENDATION

That Council notes the findings of the 2024 Monash Community Satisfaction Survey and that specific areas have been identified for further attention or improvement.

CARRIED

8 NOTICES OF MOTION

8.1 NOTICE OF MOTION - ASHWOOD AND CHADSTONE COMMUNITY CONSULTATION ASSESSMENT

Moved: Cr de Silva

Seconded: Cr Paterson

RECOMMENDATION

That Council:

- 1 Notes the interest demonstrated by members of the Ashwood and Chadstone communities in Council projects over the past year;
- 2 Notes the significant number of residents living in social and public housing residing in Ashwood and Chadstone and acknowledges that there may be a variety of communication needs and preferences present in this group;
- 3 Directs Officers to talk to relevant stakeholders to consider options for how Council communicates and engages with this community on a range of matters (including advocacy), such as in-person pop-up sessions, that may assist in determining residents' priorities and concerns now and into the future;
- 4 Directs Officers to provide an update to Councillors detailing the outcomes of the review with residents and preferred options for consultation and engagement no later than September 2024.

CARRIED

8.2 COUNCIL'S DISCRETIONARY EXPENDITURE FUND APPLICATIONS

Moved: Cr Luo

Seconded: Cr Little

RECOMMENDATION

That Council resolves to approve the following application for funding from the Council's Discretionary Expenditure Fund in accordance with the guidelines.

APPLICANT	PURPOSE	AMOUNT RECOMMENDED
United Sri Lankan Muslim Association of Australia Seniors (USMAA Seniors)	Mental Health Awareness for an Ageing Multicultural Community and Understanding HCP	\$1900

CARRIED

9 URGENT BUSINESS

Nil

10 CONSIDERATION OF WRITTEN REPORTS OF COMMITTEES

Nil

11 PERSONAL EXPLANATIONS

Nil

12 COUNCILLORS' REPORTS

Cr Zographos Provided Comments on:

- Carlson Multi-Sports Court Opening Event
- Monash Women's Business Network
- Coptic Community Festival 2024
- Jack Edwards Reserve
- Monash Villareal Event

Cr Little Provided Comments on:

- Tiny Forest Launch and Planting Day

13 CONFIDENTIAL BUSINESS

Moved: Cr Little

Seconded: Cr Luo

PROCEDURAL MOTION

That Council, having reviewed and considered the certificates in relation to the matter listed for confidential business, and being satisfied that it is appropriate and necessary to consider these matters in confidential business, resolve to: Close the meeting to the public in accordance with section 66(2)(a) of the Local Government Act 2020 for the reasons specified in the certificate.

CARRIED

The Council moved into Confidential business at 8:09 pm.

RETURN TO OPEN COUNCIL

The Council returned to Open Council at 8.13pm.

14 MEETING CLOSURE

The Mayor declared the meeting closed at 8.13 pm.

MAYOR: 

DATED: 25 June 2024